

Assembly Bill No. 2173

CHAPTER 60

An act to amend Section 406 of the Vehicle Code, relating to vehicles.

[Approved by Governor June 25, 2014. Filed with
Secretary of State June 25, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2173, Bradford. Vehicles: motorized bicycles.

Existing law prohibits the operation of a motorized bicycle on a highway unless the owner applies for a license plate and attaches it to the bicycle, as specified. Existing law also requires a specified driver's license or endorsement to operate a motorized bicycle or a moped, except as specified. For purposes of these provisions, existing law defines a "motorized bicycle" or "moped" in one case as any 2-wheeled or 3-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor that produces less than 2 gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

This bill would redefine a "motorized bicycle" or "moped" by increasing the maximum gross brake horsepower that its motor produces to less than 4.

The people of the State of California do enact as follows:

SECTION 1. Section 406 of the Vehicle Code is amended to read:

406. (a) A "motorized bicycle" or "moped" is a two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor that produces less than 4 gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

(b) A "motorized bicycle" is also a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements:

- (1) Has a power output of not more than 1,000 watts.
- (2) Is incapable of propelling the device at a speed of more than 20 miles per hour on ground level.
- (3) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

(4) Every manufacturer of motorized bicycles, as defined in this subdivision, shall provide a disclosure to buyers that advises buyers that their existing insurance policies may not provide coverage for these bicycles and that they should contact their insurance company or insurance agent to determine if coverage is provided.

(c) The disclosure required under paragraph (4) of subdivision (b) shall meet both of the following requirements:

(1) The disclosure shall be printed in not less than 14-point boldface type on a single sheet of paper that contains no information other than the disclosure.

(2) The disclosure shall include the following language in capital letters:
“YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE
FOR ACCIDENTS INVOLVING THE USE OF THIS BICYCLE. TO
DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT
YOUR INSURANCE COMPANY OR AGENT.”